

**REMARKS**

Claims 1-15 are pending in the application.

Claims 1, 5-6 and 10-11 are amended to clarify the invention.

Applicant respectfully requests reconsideration of the claims in view of the foregoing amendments and following remarks.

Claim 13 has been rejected under 35 USC §112, first paragraph on the grounds that the specification does not include one of ordinary skill in the art how a bonus prize is awarded in relation to a mystery prize. Claim 13 claims awarding a bonus prize for more than one B-I-N-G-O card when the mystery space is selected and more than one of the multiple cards has the 'G' column lighted. Support is given on page 9, lines 10-17 of the specification which explains the operation of the mystery space to potentially cause simultaneous completion of more than one card. As disclosed in Col. 8, lines 27-29, the "mystery space" operates to light the next available columns on all cards. Thus if more than one card is one step away from completion (that is, where the 'G' column is lit on B-I-N-G-O cards), then a mystery space will complete more than one card resulting in the payout described on page 9, lines 10-17. Since adequate description is included in the specification to allow one skilled in the art to understand the claim limitations, applicants respectfully requests removal of this rejection with respect to claim 13.

Claims 1-15 are rejected under 35 USC §112, first paragraph on the grounds that applicants' use of the term "subsets" and recitation to "order" is unclear. The claims have been amended to address this clarity issue so that antecedent basis exists for all elements. The definitions for "consecutive" and "nonconsecutive" order should be adequately defined in the specification, namely on page 9, lines 29-31. Examples with respect to the B-I-N-G-O cards is described on page 8, lines 26-32 where each column of the card corresponds to a selectable element on the top box game and the cards must be filled out in a particular "next-in-sequence" order. That is, the 'B' must be selected before the 'I', which must be selected before the 'N', and so on. As the claims should now be clear to those skilled in the art, applicants respectfully requests removal of the rejection.

Claims 1-2, 5-7 and 9 are rejected under 35 USC §103(a) as being an obvious variation of U.S. Pat. No. 6,581,935 (Odom).

Applicants traverse on the grounds that Odom fails to disclose certain limitations in the present claims, namely (in claim 1) that the spaces have a predetermined order to them within their particular subset and that completion of the bonus game involves selecting the elements in consecutive or non-consecutive order. Consecutive means that the elements are selected in an exact number of consecutive plays; nonconsecutive means that more plays are required for selection of the spaces. The spaces are organized in subsets (e.g. red spaces, yellow spaces, etc.) and those spaces are organized within a predetermined order (e.g. 'B' comes before 'I' which comes before 'N', etc.). This goes beyond a mere visual representation, but instead corresponds to the order in which the selection must occur in order to complete the next step in the bonus sequence.

Odom does not teach selection elements having a particular predetermined or sequential order where the bonus game is completed by consecutive or nonconsecutive plays. Instead, Odom teaches a standard BINGO game where certain indicia (e.g. B12, O63) are selected and a player's card marked if they have that selected indicia. True, FIG. 1 of Odom does show a visual representation of the BINGO card where the letters are arranged in a visual order of 'B', 'I', 'N', 'G' and then 'O', but this is not indicative of the game order in which the spaces must be selected for a win. In fact, Odom teaches away from the present invention because a win can occur by a player obtaining winning cards with the spaces selected in any order – that is, the four corners of card 'D' in FIG. 2 of Odom could be selected in any order and not necessarily upper right, then upper left, then lower right, etc. In Odom, if a player has the indicia on the card, then it is marked off or the space lit up. In the present invention, a space (e.g. yellow 'N') could be selected but may not result in the player having a space on their card lit up unless the previous spaces in the predetermined order (e.g. yellow 'B' and yellow 'I') are previously selected. The present invention adds a whole new dimension to the bonus game concept and one that is not taught or suggested by Odom. Applicants thus respectfully request reconsideration of the rejection and allowance of the claim in view of Odom.

Addressing the remaining claims specifically:

Regarding claim 2, Odom bingo cards do not have a predetermined order of 'B', then 'I', then 'N', then 'G', then 'O'. While there is a visual representation of B-I-N-G-O, this does not correspond to an 'order' of game pieces that affect the outcome of the game. That is, obtaining an 'O' piece that is on the Odom game card would still result in lighting that space even though the player has not yet received a 'B' space.

Regarding claim 5, the Odom spaces are not organized into subsets except after the fact.

Regarding claim 6, completion of the spaces is not dependent on consecutive or nonconsecutive order. Rather, order is unimportant in Odom since the spaces can be selected in any order.

Regarding claim 7, there is no special bonus for 'simultaneous' completion of all subsets since spaces are selected one at a time (Odom col. 4, lines 15-24), a row or column would necessarily be completed prior to the coverall result.

Regarding claim 9, applicants disagree with the Examiner's statement that scripts are well known in the gaming industry since selection is typically done 'on the fly'. To the contrary, bonus scripts are a new concept in the industry marketed by the assignee of the present invention.

Claims 3 and 4 have been rejected under 35 USC §103(a) as being unpatentable over Odom in view of U.S. Pat. No. 6,398,645 (Yoseloff). Claim 8 is rejected under Odom in view of U.S. Pat. Appl. Publ. No. 2002/0045472.

Since Odom does not teach the predetermined order of the spaces within the subsets, nor the consecutive or nonconsecutive selection of the spaces to complete the bonus game, a combination of Odom with any other patent would be insufficient to teach each and every element of the claims. Accordingly, and for the reasons expressed above, rejection under §103(a) would be improper.

Claims 10-15 have been rejected under 35 USC §103(a) as being unpatentable over Adams in view of Yoseloff.

Adams does not act to light a column responsive to selection of one of the plurality of spaces. Rather, Adams lights a space on the card (not an entire column) responsive to selection of that space. Whereas it would take a minimum of 24 selections to completely light a card according to Adams, it would only take 5 in the present invention. Furthermore, Adams does not describe the step of lighting the columns in sequential order responsive to the selected spaces. There is no reason in Adams to do so since as long as the space is on the card that space will be lit. As described above, in the present invention the columns can only be lit in sequential order.

Addressing the remaining claims specifically:

Regarding claim 11, there is no sequential order in Adams specified. That although there is a visual order displayed on the top-box, the columns need not be completed in order for a win to occur.

Regarding claim 12, Adams does not disclose a mystery space or a functionally equivalent wild-card space that would correspond to more than one card. In the preferred embodiment of the mystery space, the next column in each card is completed. No such event is described by the prior art.

Regarding claim 13, the operation of the mystery space is so different from the prior art that applicants cannot properly address the Examiner's statements regarding 'design choice' and 'ordinary skill in the art'. It is applicants' believe that such a feature has never existed in the many hundreds of years that BINGO has been around.

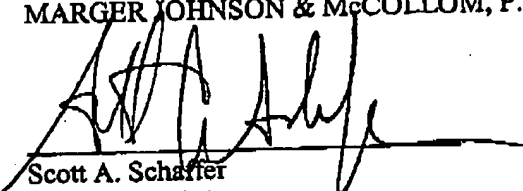
Regarding claim 14, applicants disagree with the Examiner's statement that scripts are well known in the gaming industry since selection is typically done 'on the fly'. To the contrary, bonus scripts are a new concept in the industry marketed by the assignee of the present invention.

Regarding claim 15, there are different prizes associated with different BINGO cards and Yoseloff does not disclose such a feature. Rather, one would expect with the Adams prior art that all cards would have the same awards associated with them.

For the foregoing reasons, reconsideration and allowance of claims 1-15 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case. It is apparent to the applicants that the present invention has clear and nonobvious differences over the prior art of record and believes that the present claim language addresses those differences. However, the undersigned welcomes the Examiner's suggestions on how best to claim those distinctions and looks forward to discussing these issues in a future telephone call.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



Scott A. Scharf  
Reg. No. 38,610

MARGER JOHNSON & McCOLLOM, P.C.  
1030 SW Morrison Street  
Portland, OR 97205  
503-222-3613  
Customer No. 20575